

**SUPREME COURT MINUTES
TUESDAY, MARCH 8, 2005
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on March 8, 2005, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegar, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

S116081 Sierra Club, et al., Plaintiffs and Appellants
 v.
 California Coastal Commission, Defendant and Respondent
 Catellus Residential Group, Real Party in Interest and Respondent
 Cause called. Frank P. Angel argued for Appellant.
 J. Matthew Rodriguez argued for Respondent.
 Robert D. Crockett argued for Real Party in Interest.
 Mr. Angel replied.
 Cause submitted.

S119067 The People, Plaintiff and Respondent
 v.
 Donald Thomas Wright, Defendant and Appellant
 Cause called. Aaron Maguire, Office of the Attorney General,
 argued for Respondent.
 Madeline McDowell argued for Appellant.
 Mr. Maguire replied.
 Cause submitted.

S117370 The People, Plaintiff and Respondent
 v.
 Darryl Randle, Defendant and Appellant
 Cause called. Amy Haddix, Office of the Attorney General, argued
 for Respondent.
 J. Bradley O'Connell argued for Appellant.
 Ms. Haddix replied.
 Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the Court and Officers present as first shown.

S114184 The People, Plaintiff and Appellant
 v.
 Willis Williams, Defendant and Respondent
 Cause called. Brian Fitzpatrick, Office of the District Attorney,
 argued for Appellant.
 Diane Nichols argued for Respondent.
 Mr. Fitzpatrick replied.
 Cause submitted.

Chief Justice Ronald M. George, not participating in consideration
of the following case, did not take the bench.

The Honorable Steven M. Vartabedian, Associate Justice, Court of
Appeal, Fifth District, sitting on the following case under assignment
by the Chairperson of the Judicial Council, joined the Court at the
bench.

Justice Marvin R. Baxter, not participating in consideration of the
following case, did not take the bench.

The Honorable James D. Ward, Associate Justice, Court of Appeal, Fourth District, Division Two, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S121532 Jack Jevne, et al., Petitioners

v.

The Superior Court of Los Angeles County, Respondent
JB Oxford Holdings, Inc. and JB Oxford & Company,
Real Parties in Interest

Cause called. Eric Woosley opened argument for Petitioner.

Amy Winn, appearing for Amicus Curiae Office of the Attorney General, continued argument for Petitioner.

Cliff Palefsky, appearing for Amicus Curiae California Employment Lawyer Association, continued argument for Petitioner.

Jeffrey S. Kob argued for Real Party in Interest.

Mark A. Perry, NASD Dispute Resolution, Inc. argued for Intervener.

Mr. Woosley replied.

Cause submitted.

Court recessed until 9:00 a.m., Wednesday, March 9, 2005.

S131796B181153 Second Appellate District,
Division Five

MONK v. S.C. (PEOPLE)

Petition for review and application for stay denied

S033440

PEOPLE v. BENAVIDES (VICENTE F.)

Time extended to consider modification or rehearing

to May 18, 2005

S067394

PEOPLE v. CAPISTRANO (JOHN L.)

Extension of time granted

to May 10, 2005 to file appellant's opening brief.
After that date, only two further extensions
totaling about 120 additional days will be
granted. Extension is granted based upon
Deputy State Public Defender Audrey R.
Chavez's representation that she anticipates
filing that brief by 9/10/2005.

S123319

ROBERTS (BRUCE EVAN) ON H.C.

Extension of time granted

to April 1, 2005 for respondent to file the
informal response.

S127641A104078 First Appellate District,
Division Four

FRYE v. TENDERLOIN HOUSING

Extension of time granted

Respondent's time to file the answer brief is
extended to March 18, 2005.

S131533D043528 Fourth Appellate District,
Division One

SHRESTHA v. NRT, INC.

Extension of time granted

appellant Shrestha's time to file the answer to
the petition for review is extended to March 16,
2005, only.

S079925

PEOPLE v. MORA & RANGEL
Counsel appointment order filed

appointing Tara K. Allen to represent appellant
Ruben Rangel for the direct appeal.

S129869

A101011 First Appellate District,
A105127 Division Two

PEOPLE v. GUEVARA
Counsel appointment order filed

First District Appellate Project appointed to
represent appellant on his appeal now pending in
this court.

S130174

B176808 Second Appellate District,
Division Six

PEOPLE v. THOMPSON
Counsel appointment order filed

California Appellate Project appointed to
represent appellant on the appeal now pending
in this court.
Appellant's brief on the merits must be served
and filed on or before thirty (30) days from the
date respondent's opening brief on the merits is
filed.

S130191

H025445 Sixth Appellate District

PEOPLE v. RISTAU
Counsel appointment order filed

Thomas Singman appointed to represent
appellant on the appeal now pending in this
court.

S130199

A102205 First Appellate District,
Division One

PEOPLE v. WILSON
Counsel appointment order filed

Gordon Brownell appointed to represent
appellant on the appeal now pending in this
court..

S130323

D042605 Fourth Appellate District,
Division One

PEOPLE v. MURILLO

Counsel appointment order filed

William Salisbury appointed to represent
appellant on the appeal now pending in this
court.

B179028 Second Appellate District

MAGDA BENAVIDES v. STATE FARM INS

Order filed

The above-entitled matter, now pending in the
Court of Appeal, Second Appellate District, is
transferred from Division Two to Division Five.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 6, 7, and 8, 2005**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on April 6, 7, and 8, 2005.

WEDNESDAY, APRIL 6, 2005 – 2:00 P.M.

S113466 Marine Forests Society v. California Coastal Commission
S120551 People v. Garza (Carlos)
S042278 People v. Samuels (Mary) (Automatic Appeal)

THURSDAY, APRIL 7, 2005 – 9:00 A.M.

S126182 People v. Black (Kevin)
S111985 People v. Perez (Gerardo)
S118489 Gomez v. Superior Court (The Walt Disney Company, Real Party in Interest) -- *(George, C.J., and Brown, J., not participating; Vogel, J., and Wiseman, J., assigned Justices Pro Tempore.)*

1:30 P.M.

S121933 Simon v. San Paolo U.S. Holding Co.
S121723 Johnson v. Ford Motor Co.
S113725 Discover Bank v. Superior Court (Christopher Boehr, Real Party in Interest)

FRIDAY, APRIL 8, 2005 – 9:00 A.M.

S117287 Delgado v. Trax Bar & Grill
S119750 Morris v. De la Torre
S119066 People v. Salazar (Jose) /In re Salazar on Habeas Corpus

2:00 P.M.

S037195 People v. Kennedy (Jerry) (Automatic Appeal)

GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.